

1                    *IN THE UNITED STATES DISTRICT COURT*  
2                    *FOR THE WESTERN DISTRICT OF MICHIGAN*  
3                    *SOUTHERN DIVISION*

4                    DOMINIC WILLIAMS,

5    Plaintiff,

6                    vs.

Case No: 1:21-cv-1011

7                    RYAN JOHNSTON,

8    Defendant.

9                    \_\_\_\_\_/

10    *SETTLEMENT CONFERENCE*

11    *HELD BEFORE THE HONORABLE MAARTEN VERMAAT*  
12    *U.S. MAGISTRATE JUDGE*

13    *Marquette, Michigan*

14    *Tuesday, May 16, 2023*

15                    APPEARANCES:

16                    For the Plaintiff:      SHAWN CABOT  
   Christopher Trainor & Associates  
   9750 Highland Rd.  
   White Lake, MI 48386

17                    For the Defendant:      SARAH J. HARTMAN  
18     City of Grand Rapids  
   300 Monroe Ave., NW, Ste. 620  
19     Grand Rapids, MI 49503

20                    TRANSCRIBED BY:      Trisha N. Cameron, CSR, RMR, CRR, RDR  
21     Federal Official Court Reporter  
   128 Federal Building  
   315 West Allegan Street  
22     Lansing Michigan 48933  
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1 Marquette, Michigan

2 May 16, 2023

3 12:03 p.m.

4 *PROCEEDINGS*

5 THE CLERK: The court calls the case of Dominic  
6 Williams versus Ryan Johnston, Case No. 1:21-cv-1011.

7 THE COURT: All right. This is US Magistrate Judge  
8 Vermaat. We're on the record in this case following a  
9 settlement conference.

10 Let me start out by identifying the attorneys.  
11 Attorney Shawn Cabot represents the plaintiff, Dominic  
12 Williams. Mr. Cabot and Mr. Williams are both here by video.  
13 And Attorney Sarah Hartman represents the remaining defendant  
14 in this case, Officer Ryan Johnston. So Ms. Hartman is here,  
15 officer Johnston is here, and then Mr. Kelly from the MMRMA is  
16 here as well.

17 Like I said, we conducted a settlement conference.  
18 We've resolved the case. I'm going to state the resolution on  
19 the record. I'll ask the attorneys to confirm that, their  
20 agreement with that. But the case is not settled until the  
21 settlement documents are filed.

22 Before I do that, however, I'm going to give  
23 Mr. Cabot a chance to just confirm with his client the  
24 agreements of the proposed settlement. Go ahead, Mr. Cabot.

25 MR. CABOT: All right. Mr. Williams, can you please

1 state on the record your full name, please.

2 MR. WILLIAMS: Dominic Lamonte Lee Williams.

3 MR. CABOT: And, Mr. Williams, you've been present  
4 with myself and the Court today through the entirety of the  
5 settlement conferences. Is that correct?

6 MR. WILLIAMS: Correct.

7 MR. CABOT: And you've had numerous discussions with  
8 myself and the magistrate judge regarding this matter,  
9 settling the matter, not settling the matter. You've asked  
10 your questions and we've answered those. Is that correct?

11 MR. WILLIAMS: Correct.

12 MR. CABOT: You understand that the magistrate, after  
13 approximately two hours of negotiations, it got to the point  
14 where the magistrate judge thought it would be a benefit to  
15 issue a mediator number, which you agreed to. Is that  
16 correct?

17 MR. WILLIAMS: Correct.

18 MR. CABOT: And you understand that the mediator  
19 number was \$9,500. You understand that, correct?

20 MR. WILLIAMS: Correct.

21 MR. CABOT: And you understand that that \$9,500 is a  
22 global settlement amount, correct?

23 MR. WILLIAMS: A global settlement amount?

24 MR. CABOT: Yes. It means that's all the City of  
25 Grand Rapids is going to pay.

1 MR. WILLIAMS: Yes.

2 MR. CABOT: And you understand that attorney fees,  
3 costs, and liens come out of that.

4 MR. WILLIAMS: Yes.

5 MR. CABOT: You understand that by accepting this  
6 mediator number, you cannot go to trial. You're foregoing  
7 your jury trial to accept this mediator number. You  
8 understand that?

9 MR. WILLIAMS: Yes.

10 MR. CABOT: You also understand that as we discussed,  
11 that you could have gone to a jury trial and you could have  
12 gotten more money, you could have gotten the same amount of  
13 money, you could have gotten less money, or you could have  
14 gotten no money at all. You understand that?

15 MR. WILLIAMS: Yes.

16 MR. CABOT: And you also understand that by taking  
17 this settlement, that you can never come back and sue the City  
18 of Grand Rapids or its officers for this incident that we're  
19 here on today.

20 MR. WILLIAMS: Correct.

21 MR. CABOT: Okay. And you also understand that you  
22 can't appeal any of the decisions by the district court judge  
23 regarding this case. You understand that?

24 MR. WILLIAMS: Yes.

25 MR. CABOT: Has anybody promised you, threatened you,

1 or forced you in a way to take this settlement?

2 MR. WILLIAMS: No.

3 MR. CABOT: Okay. Did you -- are you accepting this  
4 freely and voluntarily?

5 MR. WILLIAMS: Yes. Yes.

6 MR. CABOT: And you understand that the City of Grand  
7 Rapids will be sending you a release that you will have to  
8 sign and that release memorializes the amount of the gross  
9 settlement and it also will say, you know, this was the  
10 settlement of a disputed claim, we're not admitting liability,  
11 but we're paying this to kind of put this matter to bed. Do  
12 you understand that?

13 MR. WILLIAMS: Yes.

14 MR. CABOT: All right. At this time, Your Honor, I  
15 don't have anything further.

16 THE COURT: Okay. Thanks. And, Mr. Cabot, I think  
17 you put down your understanding of the agreement here, \$9,500  
18 as a global resolution of the case.

19 Ms. Hartman, is that your understanding as well?

20 MS. HARTMAN: It is, Your Honor.

21 THE COURT: Okay. So I'll tell you, Chief Judge  
22 Jarbou does like to at some point issue an order saying that  
23 the settlement documents have to be filed within a certain  
24 period of time. What's a reasonable period of time for you  
25 all to complete the settlement documents? What do you think,

1 Mr. Cabot?

2 MR. CABOT: I would say 45 days.

3 THE COURT: Ms. Hartman, what do you think?

4 MS. HARTMAN: That's fine with me.

5 THE COURT: So we're on the July 10th trial docket.

6 So that should be enough, but I'm going to -- it's going to be  
7 Judge Jarbou's call. I'll just -- we'll end up telling them  
8 that you guys requested, you all requested 45 days to get that  
9 completed.

10 So okay. That is going to take care of the  
11 settlement conference. Cathy, you can -- you can go off the  
12 record.

13 *(Concluded at 12:08 p.m.)*

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C E R T I F I C A T E

I certify that the foregoing is a transcript from  
the Liberty Court Recording System digital recording of the  
proceedings in the above-entitled matter to the best of my  
ability.

/s/ Trisha N. Cameron  
Trisha N. Cameron, CSR, RMR, CRR  
U.S. District Court Reporter  
Lansing, MI 48933